

## CHAPTER Tra 300 PERMITS

## PART Tra 301 RESERVED

## PART Tra 302 DRIVEWAY PERMITS - RESERVED

Source. #5497, eff 1-1-93, EXPIRED: 1-1-99

## PART Tra 303 REASONABLE ACCESS FOR TWIN TRAILERS

Source. #5825, eff 5-19-94, EXPIRED: 5-19-00

## PART Tra 304 OVERWEIGHT AND OVERDIMENSION VEHICLE PERMITS

Statutory Authority: RSA 21-L:12-a, V; RSA 260:5; RSA 266:24

Tra 304.01 Purpose. The following establishes procedures and criteria for application to the commissioner of transportation for special permit to move non-divisible vehicles or objects having weight, width, height or length greater than statutorily allowed limits set forth in RSA 266. Pursuant to RSA 266:24, the commissioner of transportation, with the approval of the director of motor vehicles, has authority to grant permits for moving such overweight or overdimension vehicles, objects and/or loads and to specify routes and times of travel to preserve the integrity of New Hampshire roadways and the public safe use thereof.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

Tra 304.02 Scope. This rule shall apply to anyone wishing to move a non-divisible vehicle or object, which has a weight, width, height or length greater than prescribed in RSA 266, within the State of New Hampshire on the state highway system.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

Tra 304.03 Exceptions.

(a) Permits for federal, state and local governmental subdivisions, and for farmers moving their own farm equipment shall be issued without charge.

(b) No permit shall be required for vehicles driving upon the ways of this state in compliance with the following statutes:

- (1) Length exceptions per RSA 266:11-a;
- (2) Width exceptions per RSA 266:13, 15;
- (3) Weight exceptions per RSA 266:19-a, 21, 23;
- (4) Highway building equipment or construction zone exception per RSA 266:20; and
- (5) Truck axles length exception per RSA 266:24-a.

(c) No permit shall be required for vehicles driving upon the ways of this state in compliance with a permit recognized as enforceable in New Hampshire per the terms of the New England transportation consortium (NETC) regional agreement authorized by RSA 266:24-b.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-

New. #7193, eff 1-26-00

Tra 304.04 Types of Permits.

(a) An annual permit shall be issued for one specific vehicle for all types of non-divisible moves during a period of one calendar year from date of issue, provided that the combined unit of vehicle and load exceed height, weight, or length limits contained in RSA 266, but do not exceed 75 feet 0 inches long, 10 feet 6 inches wide, 13 feet 6 inches high, or legally registered weight.

(b) An annual permit shall be modified at the request of an applicant in the following instances:

(1) An annual permit shall issue for a reduced fee pursuant to RSA 266:22 III for a unit legally registered in New Hampshire to a person or entity with a business location in New Hampshire, restricted to moves within a radius of 100 miles from the applicant's business location;

(2) The holder of an annual permit who seeks to move a load exceeding the dimensions or weight noted on the permit may modify the annual permit for a single move of a non-divisible load by requesting an instant permit in accordance with the following procedure:

a. The instant permit form shall be obtained from the department and completed while the applicant is in direct contact with the permit office of the department; and

b. The applicant shall carry the original instant permit in the vehicle during the move, and promptly forward a copy to the permit office of the department; and.

(3) The holder of an annual permit working on a state highway construction project who seeks to move construction equipment or supplies between a recognized in-state place of business and the contract site, and/or between contract sites, that are up to 14 feet 0 inches in width or possess a gross weight not to exceed 120,000 pounds, shall be issued a construction endorsement at no charge which shall permit such loads to be moved under the annual permit.

(c) The holder of an annual permit who seeks to move a load in response to an emergency shall be issued an emergency endorsement at no charge if the permit office finds:

(1) The emergency constitutes an imminent threat to public health, safety, or property;

(2) The movement is in the interest of public safety; and

(3) The proposed movement will not degrade the integrity of state roads or bridges.

(d) A single trip permit shall be issued to allow the movement of a specific vehicle and its non-divisible load along a specified route during a period of one calendar week from date of issue, subject to the following special conditions:

(1) If the load consists of buildings or structures upon an independent carriage assembly exceeding 12 feet 0 inches in width:

a. No permit shall issue to move buildings upon any portion of the interstate highway system or on the toll road system;

b. If a move is within the boundaries of a highway construction project or highway construction zone, the move shall be coordinated with the prime state contractor to avoid conflicts with scheduled work; and

c. If the route through such a highway construction project is over a new highway section not yet maintained for vehicular traffic, the applicant for a building movement permit shall obtain written approval from the project prime contractor who controls such new highway section.

d. No permit shall issue unless the applicable highway district engineer shall also review the request, and confirm that:

1. The building to be moved is structurally sound;

2. The vehicle and equipment are adequate to safely perform the move;
  3. The pavement and highway structure are adequate to support the move along the entire route; and
  4. There are adequate horizontal and vertical clearance and turning paths along the entire route;
- (2) If the vehicle or load exceed 15 feet 0 inches in width, 13 feet 6 inches in height, 115,000 pounds in weight for a 5 axle unit, or 150,000 pounds in gross vehicle weight, no permit shall issue unless the applicant provides the bureau of highway maintenance with the following additional information, obtained at the applicant's own expense:
- a. A written report of an engineering inspection, performed by a currently licensed New Hampshire professional engineer, certifying that the vehicle, load, object, and proposed route meets each of the criteria specified in (1) above; and
  - b. A confirmation from the applicable highway district engineer and the bureau of bridge maintenance that the proposed route meets each of the criteria in (1) above; and
- (3) In order to minimize the impact on traffic volume and flow along the proposed route, the bureau of highway maintenance permit office shall restrict the timing and route of any single trip move in which the nature of the vehicle or load requires:
- a. The move to occur at a time not permitted by Tra 304.08;
  - b. The move to occur in an unusual manner, including but not limited to special or wrong-way movements; or
  - c. The move to be facilitated by law enforcement officials to maintain the safety of motorists.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

#### Tra 304.05 General Conditions and Payment of Fees.

(a) All permits shall be issued subject to the following general conditions:

- (1) Permits shall be issued only to the person or firm who will actually do the hauling;
- (2) Permits shall not be issued for loads that can be reasonably reduced to legal size and/or weight such as when attachments can be removed from equipment to reduce an oversize load to within legal limits;
- (3) The vehicle ~~is~~ shall be registered for the legal maximum weight;
- ~~(4) No vehicle owned by a registered vehicle dealer and equipped with dealer plates shall be issued a permit to transport a load that is in violation of RSA 261, or rules adopted thereunder;~~
- (5) No vehicle that is registered outside of New Hampshire shall be issued a permit for movement of a load between 2 points in New Hampshire unless the vehicle is registered under the international registration plan (IRP), and New Hampshire is listed on the IRP certificate; and
- (6) New Hampshire truckers operating in Massachusetts under permit for a gross weight exceeding their registered weight in New Hampshire may contact the New Hampshire permit office for a validation rider. This validation rider shall increase their registered weight to equal the scale weight when they are operating in Massachusetts, but shall not permit the operation of a vehicle in New Hampshire in excess of the road limit in this state.

(b) All permit fees shall be computed in accordance with RSA 266:22 and paid prior to issuance of a permit. Payment may be made by cash, check, money order or draft to the "Treasurer, State of New Hampshire." No refunds shall be made for unused permits.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

Tra 304.06 Applicant Responsibility.

(a) The applicant shall assume all responsibility for injury to persons or damage to public or private property caused directly or indirectly by the transportation of the vehicle or load under permit.

(b) Acceptance of the permit by the applicant shall be deemed certification by the applicant that:

- (1) The applicant is in compliance with all operational requirements;
- (2) Dimension and weight limitations specified shall not be exceeded;
- (3) Registration and license requirements have been met including financial responsibility obligations; and
- (4) The applicant complies with related rules adopted by the New Hampshire department of safety.

(c) The permit, or facsimile of the permit shall be carried in the vehicle during the move. Telephonic confirmation shall not be accepted in lieu of the actual permit.

(d) Red flags at least ~~18~~ inches square, secured by at least one corner or mounted on a staff, shall be required on all overdimensioned loads to adequately mark load extremities longitudinally and laterally.

(e) Overwidth loads shall have at least 2 and up to 6 flags mounted at the widest extremity and corners of the load, and placed so as not to increase the overall load width.

(f) Overlength loads or loads with rear or front end overhang in excess of 4 feet 0 inches shall display one flag at the end of the overhang if less than 2 feet 0 inches wide, and 2 flags if the overhang is over 2 feet 0 inches wide.

(g) Warning signs shall be displayed during the move on the front of the hauling vehicle and on the rear of the hauling vehicle or load whichever provides best rear display. The legend shall read "OVERSIZE LOAD." The signs shall not be less than 7 feet 0 inches wide and 18 inches high with 10-inch high black letters featuring a 1.4-inch brush stroke on a yellow background. Signs shall be made of durable material unaffected by moisture.

(h) All oversize load signs shall be removed, covered or otherwise sight restricted when not being used for an oversize move.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

Tra 304.07 Escort Vehicles.

(a) The applicant shall furnish one escort vehicle for an overdimension load or hauling vehicle, except as follows:

- (1) No escort shall be required for overall widths less than 12 feet 0 inches;
- (2) No escort vehicle shall be required for overlength of less than 80 feet 0 inches; and
- (3) No escort vehicle shall be required if the front or rear overhang is less than 15 feet 0 inches with proper flags displayed.

(b) The applicant shall furnish a second escort vehicle for an overdimension load or hauling vehicle presenting a combination of overhang of 15 feet 0 inches or more to the rear and overwidth of 12 feet 0 inches or more.

(c) Unless exempted by state police determination that weather conditions, visibility, traffic flow, or other conditions do not compromise safe movement, a state police escort shall be required for the following loads and vehicles:

- (1) The load, including hauling vehicle, is 18 feet 0 inches or more in width;
- (2) The load, including hauling vehicle, is 100 feet 0 inches or more in length; or
- (3) The load is a manufactured housing unit as provided in Tra 304.10.

(d) Escort vehicles shall be a vehicle the size of a compact car or larger, properly registered and inspected, with the following equipment installed:

- (1) An operating top-mounted, flashing or rotating amber light;
- (2) A 2-way radio allowing contact with the permitted vehicle at all times; and
- (3) A warning sign with legend reading, "OVERSIZE LOAD" meeting the following standards:
  - a. Black letters not less than 10 inch high of a 1.4-inch stroke on a yellow background;
  - b. Made of durable material unaffected by moisture; and
  - c. The shape of the warning sign shall be varied to fit the escort vehicle but shall not be less than 5 feet 0 inches wide and 12 inches high.

(e) Escort vehicles preceding oversize loads shall display the warning sign affixed to the front of the vehicle, while escort vehicles following oversize loads shall display the warning sign affixed to the rear of the vehicle.

(f) When escorting a permitted vehicle, the drivers of escort vehicles shall:

- (1) Maintain visual and two-way radio contact with the permitted vehicle at all times;
- (2) Operate the escort vehicle with headlights turned on in the low beam position at all times;
- (3) When one escort is required, position the vehicle to precede a load on undivided highways and follow the load on divided highways;
- (4) When traffic following a permit move has accumulated to 7 or more vehicles, yield the right-of-way for these vehicles to pass at the nearest, accessible, safe location.
- (5) When crossing bridges on 2-way highways where bridge width is 24 feet 0 inches or less, stop all traffic while the load is on the bridge.

Source. #4129, eff 9-10-86, EXPIRED: 9-10-92

New. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

Tra 304.08 Movement Prohibited.

(a) Movement of overdimension loads shall be restricted by the terms of the permit as follows:

- (1) To the specific routes designated on the permit;
- (2) To daylight hours, which means the period from one-half hour before sunrise until one-half hour after sunset;
- (3) On specific routes, as warranted by high traffic volumes caused by holidays, special scheduled events, or conflict with other moves; and
- (4) On specific routes by unsafe highway conditions caused by insufficiency, construction activities, maintenance activities, or when loads exceed posted capacities imposed due to emergence of frost, winter thaws, or excessive rainy periods.

(b) Requests shall be denied and permits shall not be valid during specific periods on specific roads as a result of slippery pavement conditions or inclement weather, such as fog, haze, heavy rain, freezing rain, or snow.

(c) Permits shall not be valid during the following holidays and times when state services are unavailable:

- (1) New Year's Day;
- (2) Martin Luther King Civil Rights Day;
- (3) Washington's Birthday;
- (4) Memorial Day;
- (5) Independence Day;
- (6) Labor Day;
- (7) Columbus Day;
- (8) Veterans Day;
- (9) Thanksgiving Day;
- (10) Christmas Day;
- (11) If a holiday falls on Sunday, the following Monday shall be also restricted as a holiday;
- (12) If a holiday falls on a Saturday, the previous Friday shall be restricted as a holiday; and
- (13) All weekend days.

(d) Vehicles which are overweight only and which are operated at normal traffic speeds shall not be restricted to time of movement.

(e) If the movement is on other than a state road, the applicant shall obtain permission from the selectmen, council, trustees or other appropriate officials with jurisdiction over the road.

Source. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

#### Tra 304.09 Manufactured Housing Units / Building Components.

(a) Single trip permits may be requested for restricted movement of manufactured housing units or building components such as modular, prefabricated, pre-cut, mobile units, trusses, or panels of overall maximum dimensions including hauling unit not exceeding 14 feet 0 inches or less, except for modular or mobile homes. In the case of modular or mobile units, an additional 6-inch overhang for eave(s) shall be allowed, and the greater overhang shall be on the right-hand shoulder side of the highway in the direction of travel, making the maximum width 14 feet 6 inches, length 95 feet 0 inches, and height 13 feet 6 inches.

(b) Moves of manufactured housing units/building components shall be restricted to roadways featuring a minimum pavement width of 24 feet 0 inches, whenever possible, from point of origin to point of delivery. Insofar as practical, movements shall be confined to a single traffic lane, and shall be made in such a manner that the remainder of the roadway shall be open at all times eliminating obstruction of other traffic flow.

(c) The manufacturer's specifications regarding maximum capacities for the equipment employed in transporting manufactured housing units shall not be exceeded in any circumstances. The towing vehicle for manufactured housing units which exceed 10 feet 0 inches in width shall be a truck-tractor or of not less than 2 ton capacity equipped with dual wheels on each side of the drive axle.

(d) The transport vehicles, including trailers, shall have the following special equipment:

- (1) Brakes,
- (2) Clearance lights,
- (3) Reflectors; and
- (4) Safety chains to restrain the trailer if the coupling fails.

(e) Moves shall be prohibited when ground surface wind velocity exceeds 25 miles per hour.

Source. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

#### Tra 304.10 Special Provisions for Certain Overdimension Modular and Mobile Units.

(a) The purpose of this section is to establish additional requirements for issuance of single trip permits for movement of manufactured housing units, such as modular, prefabricated, pre-cut, and mobile units, of overall width, including hauling unit greater than 14 feet 0 inches and less than or equal to 16 feet 0 inches. In the case of modular and mobile homes, an additional 6-inch overhang for eave(s) shall be allowed. The greater overhang shall be on the right-hand shoulder side of the highway in the direction of travel, making a maximum width in such cases 16 feet and 6 inches.

(b) All other conditions, restrictions, and requirements of this part shall apply to such applications and permitting of movement by manufactured housing units with width greater than 14 feet 0 inches and less than or equal to 16 feet 0 inches, or 16 feet and 6 inches with eave overhang for modular and mobile homes.

(c) Such movements shall additionally require at least 2 New Hampshire state police escort vehicles to be provided by the applicant. In instances where movement requires road closure or closure of a portion thereof, 3 New Hampshire state police vehicles shall be provided as escorts.

(d) Such movements shall be further limited to Tuesday, Wednesday and Thursday, unless the permit is otherwise suspended by a holiday, weather condition, or other control regulation noted on the face of the permit, so as not to interfere with tourism related traffic.

(e) Such movements shall be further limited to roadways with minimum pavement width of 24 feet 0 inches and minimum paved shoulders of 8 feet 0 inches. Units shall not be routed to roadways that do not meet minimum pavement width and minimum paved shoulder dimensions for convenience, for decreased travel time or distance, or due to construction.

(f) Travel on roadways that do not meet the minimum dimensions in (e) above shall be permitted under the following circumstances:

- (1) The vehicle is moving from the unit's point of origin including, but not limited to the manufacturer site and dealership;
- (2) The vehicle is moving to the point of final destination;
- (3) The travel lanes are of sufficient width to allow safe passage and turning;
- (4) The road shoulders are of sufficient condition and width to allow emergency travel or stopping of the unit;
- (5) The route contains one or more passing zones, which allow other motorists, unimpeded safe travel past a slow moving unit;
- (6) The route contains sufficient sight distance at intersections to allow for safe stopping and passage of the unit through intersections; and
- (7) The unit is physically able to safely negotiate turns along the designated route.

Source. #5621, eff 5-4-93; ss by EMERGENCY #5678, eff 7-30-93,  
EXPIRED: 11-27-93

New. #5831, eff 5-26-94; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

#### Tra 304.11 Issuance of Permits.

(a) Application for permits may be made in person, by mail, or permit service and shall be made in the name of the person or firm to perform the actual hauling. Application shall be made to "Highway Permit Supervisor, Department of Transportation, Post Office Box 483, Hazen Drive, Concord, New Hampshire 03302-0483."

(b) The following information shall be submitted with an application for any type of permit:

- (1) Applicant's name;
- (2) Applicant's address;
- (3) Applicant's telephone number;
- (4) Type of object to be moved;
- (5) Registration information for each hauling unit, truck, truck-tractor, semi-trailer or trailer to be moved, including:
  - a. Registration number;
  - b. Registered weight; and
  - c. Number of axles;
- (6) Vehicle and load:
  - a. Overall length;
  - b. Overall width;
  - c. Overall height; and



d. Total gross weight;

(7) Starting point of trip;

(8) Ending point of trip;

(9) Route to be traveled;

(10) Method of fee payment; and

(11) Such other information as may be material in individual situations.

(c) Upon receipt of an application, or request to modify an existing permit, the permit office of the department shall determine if the applicant qualifies for a permit in accordance with Tra 304.04.

(d) If a permit can be issued in accordance with Tra 304.04, the permit office shall:

(1) Compute and collect the fee in accordance with RSA 266:22;

(2) Consult with the director of motor vehicles, or designee, and obtain the approval required by RSA 266:24;

(3) Endorse the permit with the conditions and limitations imposed by reason of:

a. The restrictions required by load type as specified in Tra 304.04, Tra 304.09, and Tra 304.10;

b. The general conditions specified in Tra 304.05;

c. The date, time, traffic volume, or known road condition restrictions as specified in Tra 304.08;

d. The escort vehicle requirements specified in Tra 304.07;

e. Any special conditions imposed by the director of motor vehicles pursuant to RSA 266:24; and

(4) Issue the original permit to the applicant.

(e) If a permit cannot be issued pursuant to Tra 304.04, the permit office shall provide the applicant with written notice of the denial, which specifies the grounds upon which the permit could not be granted.

Source. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00

#### Tra 304.12 Violations and Penalties.

(a) The department shall refer to law enforcement officials for action information that the holder of the permit has:

(1) Violated any condition specified by the terms of the permit contrary to RSA 266:16, RSA 266:24, RSA 266:25, or RSA 266:26;

(2) Altered the language of the permit contrary to RSA 641:7;

(3) Provided false information on the application for the permit contrary to RSA 641:3; or

(4) Has engaged in any other conduct that serves to endanger the public health, safety or welfare.

(c) A person or firm denied a permit, or aggrieved by the imposition of a condition, limitation, restriction, or fee shall be entitled to appeal such action to the department of transportation in accordance with RSA 541-A:30 to RSA 541-A:35.

Source. #5621, eff 5-4-93; ss by #6992, INTERIM, eff 5-5-99, EXPIRED: 9-2-99

New. #7193, eff 1-26-00